

## ATTACHMENT 1

## ARTICLE IX. PARKING, LOADING AND ACCESS REQUIREMENTS

## DIVISION 1. GENERALLY

**Sec. 25-386. Scope.**

The requirements set forth in this article shall apply and govern in all zones as prescribed by this chapter.

(Laws of Rockville, Ch. 6, § 3-401(a))

**Sec. 25-387. Compliance.**

(a) No land shall be used or occupied, no structure shall be designed, erected, attached, used or occupied and no use shall be operated unless the parking and loading facilities herein required are provided in at least the amounts and in accordance with the design standards set forth in this article. Parking areas and loading areas established in accordance with this article shall not be rearranged or altered without approval of a use permit application by the Director of Planning.

(b) No automobile off-street parking area shall be reduced in area or encroached upon by buildings, vehicle storage, loading or unloading or any other use where such reduction or encroachment will reduce the area below that required by this article.

(c) All off-street parking and loading facilities required by this article for any use shall be established in accordance with all design standards and maintained throughout the operation of that use. Any additional off-street parking and loading facilities required as a result of an expansion of or a change in any use shall be likewise established and maintained, or such use shall be required to cease or revert to the status described in the use permit application for such use until such facilities are provided. (Laws of Rockville, Ch. 6, § 3-401(b), (c), (k))

**Sec. 25-388. Handicapped parking.**

Parking facilities shall be provided for the physically handicapped and aged as specified in the Maryland Building Code for the Handicapped and Aged.

(Laws of Rockville, Ch. 6, § 3-401(o))

**State law references:** Maryland Building Code for the Handicapped, Anno. Code of Md., Art. 41, § 257JK.

**Sec. 25-389. Special provisions for certain Zones.**

(a) In the R-E, R-S, R-150, R-90, R-75, R-60 and R-40 Zones, off-street parking of motor vehicles shall be limited to passenger vehicles, not more than one (1) delivery-type commercial vehicle not exceeding three-quarter ton capacity or one (1) truck that has been issued a special permit pursuant to section 23-27 and one (1) trailer which shall not be used for dwelling purposes or any accessory use, provided such trailer is parked behind the front building line.

(b) In the R-30 and R-20 Zones, off-street parking of motor vehicles shall be limited to passenger vehicles and not more than one (1) delivery-type commercial vehicle not exceeding three-quarter ton capacity per dwelling unit or one (1) truck that has been issued a special permit pursuant to section 23-27. Off-street parking of trailers in such zones is prohibited.

(c) In the O-2 and C-T zones, off-street parking of motor vehicles between the front building line and the front lot line is prohibited.

(d) In the O-2 and C-T zones, the Planning Commission shall have the authority in granting a use permit to waive the requirements of subsection (c) of this section, section 25-391, subsection (b), section 25-411, subsection (c) and section 25-413 provided that:

(1) A previously existing structure is being converted to a permitted use in the O-2 or C-T Zone;

(2) Due to the location of the existing structure or structures on the lot, compliance with the parking, loading and access requirements of the above sections would not be reasonably possible; and

(3) Such a waiver would enable the proposed use to more readily satisfy the parking space requirements of section 25-395.

(e) In the O-1 Zone, the required parking may be reduced by up to fifteen (15) percent by the Planning Commission if:

(1) The main building entrance is located within one thousand five hundred (1,500) feet of a Metro rail transit station entrance; and

(2) The site has environmental constraints on at least ten (10) percent of the Net Lot Area that limits the developable area of the site.

(3) For purposes of this subsection, environmental constraints include significant tree preservation areas, stream buffer areas or other natural features of the site identified in the City development approvals as a significant environmental feature to be retained.

(Laws of Rockville, Ch. 6, § 3-401(l)–(n), (q); Ord. No. 29-86, § 2, 11-10-86; Ord. No. 4-03, § 2, 1-27-03; Ord. No. 7-03, § 3, 4-28-03)

#### **Sec. 25-390. Determination of requirements for multiple uses.**

(a) Except as provided in paragraph (c), when any land or building is used for two (2) or more purposes, the number of parking spaces required shall be the sum of the requirements for the various individual uses, computed separately in accordance with this article. Parking facilities for one (1) use shall not be considered as providing the required parking facilities for any other use, except as otherwise provided.

(b) Requirements for the provision of parking facilities with respect to two (2) or more property uses of the same or different types may be satisfied by the permanent allocation of the requisite number of spaces for each use in a common parking facility, cooperatively established and operated. The number of spaces so designated may not be less than the sum of the individual requirements for each use except as hereinafter provided, and all design requirements contained in this division must be complied with. A common parking facility so established must be located so that a major point of pedestrian access to such common facility is within a five hundred (500) foot walking distance of the entrance to each use served thereby. The Planning Commission may attach such conditions to the approval of a common parking facility as may be reasonable and necessary to assure that the use will be consistent with the purpose and intent of this chapter.

(c) In a predominantly office, multiple-use building located in the TCM-2 zone with frontage on

a Transit Station Link, and not part of an approved Preliminary Development Plan, the number of parking spaces required may be determined by using the parking standards for office use applied over the entire floor area of the building and not on the requirements for the individual uses. Office uses must occupy more than seventy-five (75) percent of the gross floor area of the building. In the event that a lesser standard may apply for accessory uses within the building, the lesser standard may be employed as appropriate. If the mix of uses contains one (1) or more restaurants that, in the aggregate, exceed four thousand five hundred (4,500) square feet of gross floor area, the parking requirement for the restaurant or restaurants exceeding four thousand five hundred (4,500) square feet of gross floor area, must be calculated according to the restaurant parking standard of the Zoning Ordinance.

(d) On a lot or parcel that contains a church, synagogue or other place of worship and an affiliated private educational institution, the Board of Appeals, as part of the consideration of the special exception application for the private educational institution, may grant a parking reduction of up to thirty (30) percent of the total required parking for the site upon the finding that the uses on the property have non-overlapping peak hour parking requirements and that such reduction will not adversely affect the site or the adjacent area.

(Laws of Rockville, Ch. 6, § 3-401(e), (f); Ord. No. 12-97, 10-6-97; Ord. No. 1-01, § 2, 1-8-01)

#### **Sec. 25-391. Location and arrangement.**

(a) All off-street parking and loading facilities required by this article for any use shall be located on and entirely within the same record lot with that use, unless provided otherwise in this chapter.

(b) Off-street parking and loading facilities that make it necessary for vehicles to back out directly into a public road are prohibited, except that this prohibition shall not apply to the off-street parking area of one (1) family detached and semidetached dwelling units.

(c) Requirements for the provision of parking facilities may be satisfied on a separate lot from the use served by a permanent automobile parking structure. An automobile parking structure so established must be located so that a major point of pedestrian access to such structure is within a five hundred (500) foot walking distance of the entrance to the use serviced thereby. The Planning Commission may attach such conditions to the approval of an automobile parking structure as may be reasonable and necessary to assure that the use will be consistent with the purpose and intent of this chapter.

(Laws of Rockville, Ch. 6, § 3-401(d), (j), (p))

#### **Sec. 25-392. Use for storage, repairs, etc.**

No parking area or loading space shall be used for the storage, sale, repair, dismantling or servicing of any vehicles, equipment, materials or supplies.

(Laws of Rockville, Ch. 6, § 3-401(g))

#### **Sec. 25-393. Determination of number of employees.**

For the purpose of this article, the number of employees for a use shall be computed on the basis of the maximum number of persons to be employed at any one (1) time other than at changes of shifts.

(Laws of Rockville, Ch. 6, § 3-401(h))

**Sec. 25-394. Garages or indoor parking spaces.**

All garages or other space allocated for parking of vehicles within buildings or in basements or open spaces on the roofs of buildings shall be considered part of the required off-street parking facilities and may be included as such in computing the area requirements outlined in this article.

(Laws of Rockville, Ch. 6, § 3-401(i))

**Sec. 25-395. Quantity of parking spaces and reservoir spaces required.**

(a) The number of off-street parking spaces and reservoir spaces for the following uses shall be as indicated below:

(1) *Ambulance service.* Adequate space to accommodate all motor vehicles operated in connection with such use and two (2) additional parking spaces per each such vehicle;

(2) *Automobile filling station, class I.* Two (2) parking spaces for each service bay or similar service area, one and one-half (1 1/2) parking spaces for each two hundred (200) square feet of gross floor area devoted to retail sales, and one (1) parking space for each employee;

(3) *Automobile filling station, class II.* Two (2) parking spaces for each service bay or similar service area, one and one-half (1 1/2) parking spaces for each two hundred (200) square feet of gross floor area devoted to retail sales, and one (1) parking space for each employee and reservoir space equivalent to five (5) times the maximum simultaneous washing capacity of the mechanical car wash;

(4) *Automotive repair garage.* One (1) parking space for each three hundred (300) square feet of gross floor area, and one (1) parking space for each employee;

(5) *Bank drive-in windows and automatic teller machines (ATMs).*

a. *Drive-in windows:* Five (5) reservoir spaces for each teller window or similar device designed to serve drive-in patrons to be provided in the approach lane to each drive-in window or in a common reservoir storage area, plus one (1) parking space for each employee;

b. *Automated teller machines not part of a bank drive-in facility;* within any development with an approved Preliminary Development Plan under the Optional Method of Development under section 25-683, no parking spaces required.

(6) *Bowling alleys.* Five (5) parking spaces for each alley;

(7) *Car wash, mechanical.* One (1) parking space for each employee, and reservoir space equivalent to five (5) times the maximum simultaneous washing capacity of the mechanical car wash;

(8) *Church, synagogue or other place of worship.* One (1) parking space for each four (4) persons for whom seating is provided in the main auditorium, except that no parking spaces for congregants are required for a building used by a congregation on a lot of twelve thousand (12,000) square feet or less, whose religious beliefs prohibit the use of motor vehicles in traveling to and from religious services on the Sabbath and principal religious holidays and which building may only be used for religious services on the Sabbath and principal religious holidays and as a residence for the clergy and his/her family. Such a building shall, however, provide two (2) off-street parking spaces on its property;

- (9) *Clinics or offices, medical or dental.* One (1) parking space for each two hundred fifty (250) square feet of gross floor area.
- (10) *Community center, library, museum, civic club, private club, lodge and health and fitness establishment.* One (1) parking space for each two hundred (200) square feet of gross floor area;
- (11) *Dwelling, one-family detached or semidetached.* Two (2) parking spaces for each dwelling unit;
- (12) *Dwelling, one-family attached (townhouses).* One and one-half (1 1/2) parking spaces for each townhouse having one (1) or two (2) bedrooms; two (2) spaces for each townhouse having three (3) or more bedrooms;
- (13) *Dwelling, multiple (apartment).*
- a. For each apartment with no separate bedroom, one (1) space;
  - b. For each apartment with one (1) separate bedroom, one and one-quarter (1 1/4) spaces;
  - c. For each apartment with two (2) or more separate bedrooms, one and one-half (1 1/2) spaces;
- (14) *Educational institutions.* One (1) parking space for each two (2) employees, including teachers and administrators, plus sufficient off-street space for the safe and convenient loading and unloading of students, plus additional facilities for student parking, taking into consideration the total number of students, the percentage of students driving automobiles, and the requirements for stadium, gymnasium and auditorium use as reasonably determined by the Planning Commission;
- (15) *Eleemosynary and philanthropic institutions.* One (1) parking space for each two (2) employees, plus such additional facilities for residents and visitors, as the Planning Commission shall reasonably deem necessary;
- (16) *Furniture store.* One (1) parking space for each five hundred (500) square feet of gross floor area in all areas accessible to the general public, plus one (1) space for each employee, plus one (1) space for each vehicle used in connection with the business;
- (17) *Heliport or helistop, private.* Five (5) parking spaces if not operated in conjunction with another use on the same or an abutting lot;
- (18) *Hospital or nursing home.* One (1) parking space for each one thousand (1,000) square feet of floor area, plus one (1) space for each participating staff doctor, plus one (1) space for two (2) employees;
- (19) *Hotel.* One (1) parking space for each guestroom, sleeping room or suite, one (1) parking space for each two (2) employees, plus one (1) parking space for each four hundred (400) square feet of area used for ballrooms, private meeting rooms and other similar places of assembly;
- (20) *Housing for elderly or physically handicapped persons.* One (1) parking space for each three (3) dwelling units, plus additional parking based on the location of the development, availability of public transportation, and characteristics of the housing project, as the Board of Appeals (or the Planning Commission in the case of a planned residential unit) shall reasonably deem necessary. In addition, all required parking shall be located within one hundred fifty (150) feet of the building served;
- (21) *Laboratory, research, medical and dental.* One (1) parking space for each one and one-quarter (1 1/4) employees, plus sufficient additional parking for customers and visitors as reasonably determined by the Planning Commission;

- (22) *Manufacturing establishment.* One (1) parking space for each one and one-half (1 1/2) employees on major shift, and one (1) space for every vehicle used in connection with the business, plus sufficient additional parking for customers and visitors as reasonably determined by the Planning Commission;
- (23) *Medical or dental practitioner's office in private residence.* Three (3) parking spaces for each professional person occupying or using the office;
- (24) *Funeral home.* One (1) parking space for each fifty (50) square feet of assembly space and one (1) space for each employee, plus one (1) parking space for each vehicle used in connection with the business;
- (25) *Office, general or professional (except medical or dental).* One (1) parking space for each three hundred (300) square feet of gross floor area, which area shall include cellars or basements designed and available for tenant use or occupancy, but shall not include floor area used for off-street parking;
- (26) *Recreational establishment, indoor, commercial, other than bowling alley, or swimming pool.* One (1) space per two (2) participants based on the maximum number of participants that can be accommodated, plus one (1) space for each four (4) seats or vantage accommodations in spectator areas, plus one (1) space for each two (2) employees.
- (27) *Recreational establishment, outdoor, commercial.* One (1) parking space for each two (2) employees, plus such additional facilities as the Planning Commission shall reasonably deem necessary;
- (28) *Full service and fast food restaurants.*
- a. One (1) parking space for each fifty (50) square feet of floor area devoted to patron use, excluding restrooms within the establishment, and (1) parking space for each eighty (80) square feet of ground area devoted to patron use on the property outside the establishment, and one (1) space for each two (2) employees, except that restaurants located in an enclosed retail mall shall be subject to the parking standard for retail sales, trade or merchandising. A minimum of fifty (50) parking spaces is required for fast food restaurant located in a freestanding building;
  - b. For fast food restaurant with a drive-through window, ten (10) reservoir spaces for each pick-up window, or, if the functions are separated, five (5) spaces behind the order window and five (5) spaces behind the pick-up window. Such spaces shall be designated so as not to impede on- and off-site traffic movements or movements into or out of parking spaces.
- (29) *Accessory restaurant:*
- a. Within office building: One (1) parking space per three hundred (300) square feet of gross floor area, and one (1) space for each two (2) employees;
  - b. Within hotel: One (1) parking space for each two hundred (200) square feet of gross floor area, and one (1) space for each two (2) employees;
  - c. Fronting a transit station link with maximum of two thousand (2,000) square feet of gross floor area: One (1) parking space per five (5) employees. As used in this subsection, an "accessory restaurant fronting on a transit station link" is defined as a restaurant not exceeding two thousand (2,000) square feet of gross floor area which directly fronts and has access to a Transit Station Link, which is an accessory use to an office building or hotel with no signage visible from a public street but which may have signage fronting on the Transit Station Link;

(30) *Retail sales, trade or merchandizing, except furniture stores and supermarkets.* As used in this section, "gross leasable area" is defined as the total floor area designed for tenant occupancy and use, including cellars or basements, mezzanines and upper floors if any, expressed in square feet measured from centerlines of joint partitions and exteriors of outside walls.

a. *Not fronting Transit Station Link:* One (1) parking space for each two hundred (200) square feet of gross leasable floor area.

b. *Fronting transit station link and not exceeding one thousand five hundred (1,500) square feet of gross leasable area:* One (1) parking space for each five (5) employees.

c. *Fronting Transit Station Link and more than one thousand five hundred (1,500) square feet of gross leasable floor area:* One (1) parking space for each two hundred (200) square feet of gross leasable floor area.

(31) *Service industrial building.* One (1) parking space for each five hundred (500) square feet of gross floor area;

(32) *Swimming pool, private, membership (nonprofit); private, (commercial); public (commercial and public).* One (1) space for each seven (7) persons of the legal capacity of the pool as defined herein, and one (1) space for each two (2) employees;

(33) *Swimming pools, accessory.* One (1) space at the pool site for each three (3) dwelling units served which are greater than a walking distance of one thousand five hundred (1,500) feet from the pool;

(34) *Theater, auditorium, stadium or arena.* One (1) parking space for each four (4) seats or similar vantage accommodations, plus one (1) space for each two (2) employees;

(35) *Warehousing.* One (1) parking space for each one and one-half (1 1/2) employees, plus one (1) space for every vehicle used in connection with the business;

(36) *Wholesaling.* One (1) parking space for each one and one-half (1 1/2) employees, plus one (1) space for every vehicle used in connection with the business, plus sufficient additional parking for customers and visitors as determined by the Planning Commission;

(37) *Mobile uses.* All mobile uses shall provide the number of parking spaces required for the underlying use if it were not a mobile use and, in addition, shall provide additional spaces for the mobile unit itself. The parking spaces provided to satisfy the requirements of this section shall not pre-empt required parking for other uses on the property, nor block driveways or walkways;

(38) *Supermarkets.* One (1) parking space for each two hundred (200) square feet of floor area used for retail sales, trade, or merchandizing; and one (1) parking space for each two (2) employees. For the purpose of this section, a supermarket shall be defined as a retail grocery store containing at least thirty thousand (30,000) square feet of gross leasable area;

(39) *Child care home or center:*

a. In residential zones, one (1) parking space shall be required for every four (4) nonresident children. For purposes of this requirement, the required number of spaces may be allowed on the street abutting the site.

b. In nonresidential zones, one (1) parking space shall be required for every six (6) children that may use the center at any one (1) time, plus adequate space for pick-up and drop-off of children;



(40) *Automobile rental.* One (1) space for each three hundred (300) square feet of gross floor area, plus adequate off-street parking for vehicle inventory as determined during approval of a use permit application.

(b) In addition to any other parking spaces required hereby, any use of the I-4 Zone shall also be required to have one (1) space for each motor vehicle owned or leased by the owner or lessee of the use.

(41) *Shopping centers of one hundred fifty thousand (150,000) square feet of gross leasable area and larger.* The choice of either:

- a. The sum total of required parking spaces for individual uses in the center; or
- b. Four (4) parking spaces per one thousand (1,000) square feet of gross leasable area with the following additions:

- (1) Restaurants in excess of fifteen (15) percent of the gross leasable area of the shopping center, an additional ten (10) spaces per one thousand (1,000) square feet of gross leasable area of restaurant use; and

- (2) Theaters in excess of seven hundred fifty (750) seats, one (1) additional space per four (4) seats for all seats over the first seven hundred fifty (750) seats.

- c. All required parking spaces must be located within a five hundred-foot walking distance of an entrance to the establishments served, with safe and convenient pedestrian access provided.

(42) *Recreational and sport facility, indoor, commercial.* One (1) space for each three (3) persons of the legal capacity of the facility, plus one (1) space for each two employees.

(43) *Health maintenance organization facility.* One (1) parking space for each two hundred (200) square feet of gross floor area, which area shall include cellars or basements designed and available for tenant use or occupancy, but shall not include floor area used for off-street parking.

(44) *Adult day care center.* One (1) space for every three and one-half (3.5) individuals served by the facility at any one (1) time, plus adequate area for pick-up and drop-off of such individuals, provided, however, that the minimum number of parking spaces required shall be five (5). The total number of required parking spaces shall be calculated based upon the maximum licensed capacity for the facility.

(45) *Accessory drive-through window.* Three (3) reservoir spaces which includes the space at the window where the transaction occurs.

(Laws of Rockville, Ch. 6, § 3-403; Ord. No. 23-87, § 5, 10-26-87; Ord. No. 40-88, § 2, 11-28-88; Ord. No. 3-90, §§ 3, 4, 3-12-90; Ord. No. 6-90, § 5, 3-12-90; Ord. No. 9-90, § 10, 5-14-90; Ord. No. 14-92, § 6, 10-26-92; Ord. No. 15-92, § 3, 10-26-92; Ord. No. 2-93, § 2, 2-22-93; Ord. No. 24-93, § 3, 12-13-93; Ord. No. 4-95, § 5, 6-12-95; Ord. No. 3-96, § 3, 1-22-96; Ord. No. 13-96, § 4, 8-5-96; Ord. No. 8-97, § 2, 9-22-97; Ord. No. 10-97, § 1, 9-22-97; Ord. No. 5-00, 6-5-00; Ord. No. 10-00, 6-26-00; Ord. No. 4-01, § 3, 1-22-01)

Secs. 25-396--25-410. Reserved.



## DIVISION 2. DESIGN STANDARDS

**Sec. 25-411. Parking spaces and areas.**

(a) Each automobile parking space shall be a rectangle not less than nine (9) feet wide and eighteen (18) feet long, except as follows:

(1) Spaces provided for the physically handicapped and aged shall be in accordance with the Maryland Building Code for the Handicapped.

(2) For parking spaces designated for exclusive use in connection with multi-family residential development as part of an integrated parking plan within an approved Preliminary Development Plan in the Town Center Performance District not more than five (5) percent of the spaces shall be a rectangle not less than eight and a half (8 1/2) feet wide and eighteen (18) feet long for perpendicular parking spaces when twenty-four (24) foot wide drive aisles are provided and for angled parking spaces between forty-six (46) and sixty-nine (69) degrees when twenty-one (21) foot wide drive aisles are provided.

(3) For parallel parking spaces, the length shall be increased to a minimum of twenty-one (21) feet. In addition, there shall be provided adequate interior driveways and entrance and exit driveways to connect each public parking space with a public street; except that, where parking of vehicles by attendants is provided at least fifty (50) percent of all parking spaces shall have direct access to interior entrance and exit driveways.

**State law references:** Maryland Building Code for the Handicapped, Anno. Code of Md., Art. 41, § 257JK.

(b) Parking spaces may not be installed on a grade in excess of five (5) percent.

(c) All parking spaces shall be separated from walkways, sidewalks, roads, streets or alleys by curbing, and all roads, streets, alleys, sidewalks, walkways and lot lines shall be protected from vehicular overhang by wheel bumpers or curbs. Wheel bumpers or curbs shall be installed no nearer to a street right-of-way line than five (5) feet.

(d) For purposes of computing the area of any public parking space hereunder, a parking space may extend beyond a wheel bumper or curb provided that:

(1) The computed area of such parking space does not extend beyond a wheel bumper or curb more than two (2) feet as measured along the side of the space which extends the greatest distance beyond the wheel bumper or curb; and

(2) The computed area of such parking space does not extend beyond a wheel bumper or curb which is more than six (6) inches high, and the area of overhang is free of all obstructions above curb height.

(e) Each parking space shall be clearly marked and adequate pavement directional arrows or signs provided. Each space or area for compact size motor vehicle parking must be clearly marked to indicate the intended use.

(f) No off-street parking area shall contain more than one hundred fifty (150) spaces. If a greater number of spaces is required by this article, separate parking areas of not more than one hundred fifty (150) spaces shall be provided and shall be separated by a landscaped area at least ten (10) feet in width.

(g) In the R-H Zone, seventy-five (75) percent of all off-street parking spaces shall be located underground or in an enclosed structure, and the remaining spaces shall be so located as to

accommodate deliveries and other short-term needs.

(h) In the I-3 Zone, except on those properties developed under an optional method of development, the following additional design standards shall apply:

- (1) No off-street parking space, off-street loading berth, or driveway shall be located within twenty (20) feet of a side or rear lot line; on lots qualifying under subsections (a) and (b) of section 25-313, this requirement is reduced to ten (10) feet;
- (2) No off-street parking space or off-street loading area shall be located within fifty (50) feet of a right-of-way of any public street or highway; on lots qualifying under subsections (a) and (b) of section 25-313 this requirement is reduced to ten (10) feet; except that no off-street parking space or off-street loading area or driveway shall be located within fifty (50) feet of the right-of-way of a limited access highway;
- (3) No off-street parking space or loading or unloading shall be permitted within the setback area of an industrial lot that adjoins a residential zone;
- (4) No off-street loading area shall face any limited access highway.

(i) In the R-E, R-S, R-150, R-90, R-75, R-60, R-40, R-30 and R-20 zones, the following standards shall apply to new, enlarged or expanded parking facilities for all institutional uses (see Table of Residential Uses, d. Institutional Uses), except for a Child Care Home:

(1) No off street parking space or off -street loading area or driveway shall be located within ten (10) feet of a side or rear lot line where a lot abuts a lot or land that is zoned residential or is proposed in the Master Plan for residential use.

a. The ten (10) foot setback area from the side or rear lot line shall be used as a buffer area, and appropriate landscaping or screening must be provided. Such screening area shall be improved with landscaping, walls, berms, or fencing of at least seventy-five (75) percent of continuous opacity. The screening area should include the planting of canopy trees at regular intervals.

b. In lieu of a buffer area, a substantial setback in excess of 20 feet from any adjoining residential use may be provided.

(2) Parking facilities in existence as of December 15, 2003, are nonconforming. However, they may be maintained and repaired so long as the nonconformity is not increased.

a. Modifications to the parking facility that decrease the nonconformity may be allowed, even though such modifications do not bring the entire facility into full compliance with the provisions of this section.

b. If any portion of a nonconforming parking facility is brought into compliance with the provisions of this section, the nonconformity for that portion cannot be re-established.

(3) Waivers. A waiver of the buffering and/or screening requirements of this section may be granted by the Board of Appeals or the Planning Commission, subject to such conditions as may be deemed appropriate to effectuate the purpose of this section, if:

a. The Board of Appeals or the Planning Commission finds:

1. That alternative means of achieving the objectives of the buffering and screening requirements meet the objectives of this section, or
2. That compliance with the buffering and screening requirements cannot reasonably be met due to unique site conditions, or
3. That there exist unique safety or security concerns that would be unreasonably compromised by compliance with the buffering and/or

screening requirements; or

- b. The lot occupied by the requesting use is less than seven thousand five hundred (7,500) square feet in size; or
- c. The owners of seventy (70) percent of the residential property immediately contiguous to the area of the requested waiver affirm in writing their support for a waiver of the buffering and/or screening requirements of this section. The residential property referenced in this subsection shall not include property in which the institutional use seeking the waiver has any ownership or other financial interest.

(Laws of Rockville, Ch. 6, § 3-402(a); Ord. No. 7-93, § 2, 4-26-93; Ord. No. 14-99, § 4, 10-25-99; Ord. No. 32-03, § 2, 12-15-03; Ord. No. 7-04, § 1, 3-22-04)

#### **Sec. 25-412. Interior driveways.**

- (a) The width of interior driveways shall not be less than:
  - (1) Twenty-four (24) feet when used with seventy (70) to ninety (90) degree angled parking, except that twenty (20) foot wide driveways may be used in a parking structure;
  - (2) Eighteen (18) feet when used with forty-six (46) to sixty-nine (69) degree angled parking;
  - (3) Fourteen (14) feet when used with parallel to forty-five (45) degree angled parking.
- (b) Interior driveways shall not be less than fourteen (14) feet wide for one (1) direction circulation, or eighteen (18) feet wide for two (2) direction circulation.
- (c) Pavement directional arrows or signs shall be provided in sufficient quantities and locations so as to ensure safe and efficient on-site traffic circulation.
- (d) Interior driveways may not be installed on a grade in excess of fourteen (14) percent, except that this requirement may be waived for ramps within parking structures.

(Laws of Rockville, Ch. 6, § 3-402(b); Ord. No. 7-93, § 3, 4-26-93)

#### **Sec. 25-413. Entrance and exit driveways.**

- (a) Driveways for one (1) or two (2) family dwellings shall have a width of not less than ten (10) feet.
- (b) For all other uses, there shall be at least two (2) one (1) direction driveways fifteen (15) feet in width or one (1) two (2) direction driveway twenty-five (25) feet in width, except that two (2) direction driveways on four (4) lane or wider highways or within the central business district shall be either twenty-five (25) or thirty-five (35) feet in width. The number, type, and width of such driveways shall be as reasonably determined by the Planning Commission.
- (c) In the C-1, C-2, and O-1 Zones, vehicular access to a secondary residential street is prohibited.
- (d) In the I-1, I-2, I-3 and I-4 Zones, vehicular access to any residential street is prohibited.

(Laws of Rockville, Ch. 6, § 3-402(c))

#### **Sec. 25-414. Loading facilities.**

(a) For any building in any commercial or industrial zone, adequate off-street space for the loading and unloading of goods and materials shall be provided, taking into consideration the size of building and the lawful uses in such zone.

(b) Each loading space provided shall have a minimum width of twelve (12) feet, clearance height of at least fourteen (14) feet, and a depth sufficient to accommodate the maximum length of delivery trucks reasonably likely to serve the building. In the event that tractor-trailer loading or unloading is reasonably likely, a depth of fifty (50) feet shall be provided.

(c) Maneuvering area shall provide a turning radius of not less than forty-eight (48) feet.

(Laws of Rockville, Ch. 6, § 3-402(d))

#### **Sec. 25-415. Paving specifications.**

All off-street parking and loading areas shall be so drained as to prevent damage to abutting properties or public streets and shall be paved with a minimum of:

- (1) Six (6) inches of concrete; or
- (2) Six (6) inches of bituminous asphalt; or
- (3) Six (6) inches of compacted gravel and two (2) inches of bituminous asphalt; or
- (4) Other paving as approved by the Director of the Department of Public Works.

(Laws of Rockville, Ch. 6, § 3-402(e))

#### **Sec. 25-416. Lighting requirements.**

Adequate lighting shall be provided for all parking facilities used at night. Lighting of off-street parking facilities shall be installed and maintained in a manner not to reflect or cause glare into abutting or facing residential premises, nor to cause reflection or glare which adversely affects safe vision of operators of vehicles moving on roads and highways.

(Laws of Rockville, Ch. 6, § 3-402(f))

#### **Sec. 25-417. Internal landscaping of surface parking areas.**

In addition to any other landscaping or open space requirement, landscaping in the amount of two and one-half (2 1/2) square feet per parking space shall be provided in each development containing forty (40) or more parking spaces. Landscaping shall be with deciduous shade trees and be distributed in order to increase shade. Use of tall shrubs or low branching trees which will restrict visibility should be avoided. This requirement may be met in planting islands or corner areas within the parking area. The planting areas shall be wide enough to protect the trees from a vehicle's swinging doors and bumper overhang. Planting islands which are parallel to the sides of parking spaces shall be a minimum of nine (9) feet wide. Planting islands at the head of parking spaces shall be a minimum of eight (8) feet wide. Landscaping shall be accomplished in accordance with a plan approved with the use permit.

(Ord. No. 7-93, § 4, 4-26-93)

#### **Sec. 25-418. Pedestrian walkways in parking facilities.**

In addition to all required parking spaces and driveways, pedestrian walkways, sidewalks and crosswalks shall be provided in all off-street parking facilities where necessary for pedestrian safety. Such walkways and sidewalks shall be protected from vehicular encroachment by wheel stops or curbs. Efforts should be made to link pedestrian walkways with pedestrian walkways in adjacent parking facilities and with entrances to buildings and public sidewalks.

(Ord. No. 7-93, § 5, 4-26-93)

Secs. 25-419--25-430. Reserved.